

Message Text

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ACTION EUR-12

INFO OCT-01 EA-07 IO-13 ISO-00 AID-05 CEA-01 CIAE-00
COME-00 EB-08 FRB-03 INR-07 NEA-10 NSAE-00 USIA-06
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LIMITED OFFICIAL USE TOKYO 3473

E.O. 11652: N/A
TAGS: ECOSOC, EGEN, EINV, JA
SUBJECT: ECOSOC WORKING GROUP ON ILLICIT PAYMENTS

REF: TOKYO 1427, TOKYO 2697

1. SUMMARY: GOJ OFFICIAL SEE LITTLE PROSPECT IN NEAR FUTURE FOR
ILLICIT PAYMENTS TREATY THAT INCLUDES UNIFORM DISCLOSURE LEGIS-
LATION. END SUMMARY.

2. COMATT MET WITH TOSHIAKI TANABE, DEPUTY DIRECTOR UN BUREAU,
AND TAKAHIKO HORIMURA, ECONOMIC AFFAIRS DIVISION, UN BUREAU,
FOREIGN OFFICE, TO DETERMINE IF THERE HAS BEEN ANY CHANGE IN
GOJ VIEWS RE SUBJECT TREATY FOLLOWING SECOND SESSION ECOSOC
WORKING GROUP.

3. TANABE, WHO WAS MEMBER GOJ DELEGATION TO THAT MEETING SAID
GOJ AND OTHER GOVERNMENTS ARE IN GENERAL AGREEMENT THAT THERE IS
NEED FOR TREATY COVERING ILLICIT PAYMENTS. HE WAS DOUBTFUL,
HOWEVER, THAT AGREEMENT CAN BE REACHED IN NEAR FUTURE FOR A
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TREATY THAT WOULD INCLUDE PROMULGATING UNIFORM DISCLOSURE LEGIS-
LATION BY ALL CONTRACTING STATES. GOJ WOULD HAVE PROBLEM PASSING
SUCH LEGISLATION, HE SAID, AS CONSTITUTION PROTECTS RIGHT OF
PRIVACY. FURTHER, EXISTING LEGISLATION PROHIBITS GOJ FROM DIS-
CLOSING INFORMATION OBTAINED ABOUT INDIVIDUALS OR CORPORATIONS.
FYI: JAPANESE NATIONAL GOVERNMENT EMPLOYEES' LAW (LAW NO 120 OF
OCTOBER 27, 1974, ARTICLE 100) REQUIRES GOVERNMENT OFFICIALS

TO KEEP CONFIDENTIAL ALL INFORMATION ON INDIVIDUALS AND FIRMS
OBTAINED WHILE EXECUTING THEIR DUTY. END FYI.

4. TANABE SAID HE FAVORED AN AGREEMENT FOR EXCHANGE OF INFORMATION BETWEEN GOVERNMENTS, SIMILAR TO THAT FOLLOWED DURING LOCKHEED CASE OR AGREEMENT U.S. JUSTICE DEPARTMENT HAS WITH FRG POSSIBLY FOLLOWED BY AN AGREEMENT ON UNIFORM DISCLOSURE LEGISLATION AT A FUTURE DATE. RE UNIFORM DISCLOSURE LEGISLATION, HE ASKED IF USG COULD BE MORE SPECIFIC ABOUT CONTENTS OF THE PROPOSED LEGISLATION.

5. COMMENT: THERE DOES NOT SEEM TO BE ANY CHANGE IN GOJ POLICY TOWARDS UNIFORM DISCLOSURE LEGISLATION. IT WOULD BE HELPFUL IN FURTHER DISCUSSIONS WITH GOJ OFFICIALS IF DEPARTMENT COULD TELL US ITS PERCEPTION OF WHAT MIGHT BE SUBSTANCE OF PROPOSED UNIFORM DISCLOSURE LEGISLATION.
SHOESMITH

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Message Attributes

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